

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charlie Hartford	Team: Squad #16	CCRB Case #: 201709072	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 10/26/2017 9:22 AM	Location of Incident: § 87(2)(b)	Precinct: 75	18 Mo. SOL 4/26/2019	EO SOL 4/26/2019	
Date/Time CV Reported Fri, 10/27/2017 2:30 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 11/02/2017 11:22 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Lalchan Singh	31887	955499	075 PCT
2. POM Zakema Wallace	07845	962866	075 PCT
3. POM Brion Shibetti	23606	931213	075 PCT
4. POM Rodney Greenidge	28511	932743	075 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Rodney Greenidge	Abuse: Police Officer Rodney Greenidge refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
B.POM Brion Shibetti	Abuse: Police Officer Brion Shibetti refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
C.POM Brion Shibetti	Abuse: Police Officer Brion Shibetti threatened to arrest § 87(2)(b)	§ 87(2)(b)
D.POM Zakema Wallace	Abuse: Police Officer Zakema Wallace refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
E.POM Lalchan Singh	Abuse: Police Officer Lalchan Singh refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
§ 87(2)(g), § 87(4-b)	§ 87(4-b), § 87(2)(g)	§ 87(2)(b)

Case Summary

On October 27, 2018, § 87(2)(b) filed this complaint with IAB via telephone under original log # 17-42133. This case was received by the CCRB on November 2, 2018.

On October 26, 2017 at 9:22 a.m., in the vicinity of § 87(2)(b) in Brooklyn, PO Rodney Greenidge and PO Brion Shibetti of the 75th Precinct allegedly refused to provide their names and shield numbers to § 87(2)(b) (**Allegation A and Allegation B: Abuse of Authority**, § 87(2)(g)). PO Shibetti allegedly threatened § 87(2)(b) with arrest (**Allegation C: Abuse of Authority**, § 87(2)(g)). At 3:49 p.m., PO Zakeema Wallace and PO Lalchan Singh of the 75th Precinct responded to the same location and allegedly refused to provide their names and shield numbers to § 87(2)(b) (**Allegation D and Allegation E: Abuse of Authority**, § 87(2)(g)). § 87(4-b), § 87(2)(g)

This case does not contain video evidence.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Rodney Greenidge refused to provide his name and shield number to § 87(2)(b)

Allegation (B) Abuse of Authority: Police Officer Brion Shibetti refused to provide his name and shield number to § 87(2)(b)

Allegation (D) Abuse of Authority: Police Officer Zakema Wallace refused to provide his name and shield number to § 87(2)(b)

Allegation (E) Abuse of Authority: Police Officer Lalchan Singh refused to provide his name and shield number to § 87(2)(b)

On October 26, 2017, at 9:22 a.m., the owner of the § 87(2)(b), an individual known only as § 87(2)(b) called 911 to report an altercation between two individuals inside the § 87(2)(b) located at § 87(2)(b) in Brooklyn. In her CCRB statement, § 87(2)(b) who resides in the apartment building above the § 87(2)(b), stated that she was physically accosted during the incident by her neighbor, § 87(2)(b) (Board Review 01). § 87(2)(b) alleged that over the past five years she has been the victim of a pattern of “abstract abuse” from § 87(2)(b) which she was unable to detail further. § 87(2)(b) professed to being in recovery from a mental illness at the time of her interview. On the date of incident, § 87(2)(b) attacked § 87(2)(b) at which time § 87(2)(b) attempted to bat away § 87(2)(b)'s hand. § 87(2)(b) tried to separate § 87(2)(b) and § 87(2)(b) before calling the police. PO Greenidge and PO Shibetti responded to the location, and both officers spoke to § 87(2)(b) and § 87(2)(b) individually before speaking to each complainant together in turn. § 87(2)(b) asked the officers for a police report regarding the incident, which the officers refused to provide. § 87(2)(b) described her demeanor as being “a little hysterical” at this time. § 87(2)(b) then asked both officers for their names and shield numbers. § 87(2)(b) initially asked this question of PO Greenidge, who responded by stating, “I cannot give you my badge or ID number. Hold on, hold on, hold on.” PO Shibetti then joined § 87(2)(b) and PO Greenidge, at which time § 87(2)(b) reiterated her request. PO Shibetti responded, “I am not giving you that. You do not need my badge or ID number.” PO Greenidge and PO Shibetti then left the scene.

§ 87(2)(b) then went upstairs to her apartment, at which time § 87(2)(b) and her family members began banging on § 87(2)(b) door. § 87(2)(b) called the police and two additional officers, PO Wallace and PO Singh, responded. § 87(2)(b) asked these officers for a police report, as well an escort to her grandmother's apartment. PO Wallace and PO Singh refused both requests and told § 87(2)(b) to stop calling the police. PO Singh was allegedly screaming during the interaction, as well as sweeping his hands back and forth and clapping his hands as he spoke. After the officers confirmed with § 87(2)(b) that she had not harassed § 87(2)(b) PO Wallace and PO Singh then left the scene.

Upon being directly asked whether PO Wallace and PO Singh refused to provide their names and shield numbers during the interaction, § 87(2)(b) stated, "Yes, they said, 'You called the cops the first time. Didn't you get that?' And then when I told them, 'No, they didn't give it to me,' that was even worse, because they said, 'Well why are you asking us?'" § 87(2)(b) stated that she was "two centimeters" away from the officers when she made this request. When asked how she knew that the officers heard her request, she stated, "Because they came in the door, and they said, well what's going on, you called us right?" When asked if § 87(2)(b) acknowledged this request, § 87(2)(b) responded, "No, but they asked if I had a police report from the other cops, but when I asked them for the police report, that's when they started asking for the other police report." § 87(2)(b) did not allege that PO Wallace and PO Singh refused to provide their names and shield numbers in either her initial complaint to IAB or in her phone statement (Board Review 02 and 11). § 87(2)(b) initial complaint and phone statement were otherwise consistent with her verified statement. It is of note that while § 87(2)(b) alleged that the original interaction occurred at approximately 2:00 p.m., with the second incident occurring approximately a half hour later, police documentation shows that the first and second incidents occurred at approximately 9:22 a.m. and 3:04 p.m., respectively (Board Review 02 and Board Review 15).

The investigation obtained phone statements from both § 87(2)(b) and the owner of the § 87(2)(b), § 87(2)(b). Both individuals denied hearing the officers refuse to provide their names and shield numbers to § 87(2)(b) (Board Review 03, 04, 05, and 06). § 87(2)(b) stated that the officers who initially responded spoke with both § 87(2)(b) and § 87(2)(b) in turn, but that he was not present during the officers' interaction with § 87(2)(b) and did not hear what was said during their conversation (Board Review 03), nor did he hear § 87(2)(b) request that the officers provide a police report or their names and shield numbers (Board Review 04).

§ 87(2)(b) stated that she and § 87(2)(b) have had a history of disputes, culminating in the physical altercation that occurred during this incident (Board Review 05). On the date of incident, § 87(2)(b) approached § 87(2)(b) in the § 87(2)(b) stating, "What the fuck are you looking at me for, bitch?" and announced her attention to "fuck § 87(2)(b) up" before attempting to hit her. § 87(2)(b) then followed § 87(2)(b) outside of the § 87(2)(b) and attempted to strike her again. § 87(2)(b) professed to hearing much of both the first and second sets of officers' conversations with § 87(2)(b) and denied hearing § 87(2)(b) requesting any officer's name or shield number (Board Review 05 and 06). § 87(2)(b) also opined that § 87(2)(b) did not have the mental capacity to formulate such a request (Board Review 06). § 87(2)(b) did not state how far away she was from the officers during their conversation with § 87(2)(b) (Board Review 05 and 06). § 87(2)(b) stated that there were additional individuals who may have

witnessed the interaction; however, § 87(2)(b) declined to provide contact information for these individuals (Board Review 06). § 87(2)(b) ultimately declined to provide a sworn statement to the CCRB because of an avowed desire to avoid helping § 87(2)(b).

PO Greenidge, PO Shibetti, PO Wallace and PO Singh all denied refusing to provide their names and shield numbers to § 87(2)(b) (Board Review 07, 08, 09 and 10). All of the involved officers expressed an understanding of an officer's requirement to provide this information upon request.

Patrol Guide Procedure 203-09 instructs officers to "courteously and clearly state your rank, name, shield number and command, or otherwise provide them to anyone who requests you to do so" (Board Review 12).

§ 87(2)(g)

[REDACTED]

Allegation (C) Abuse of Authority: Police Officer Brion Shibetti threatened to arrest § 87(2)(b)

§ 87(2)(b) stated during her CCRB interview that during her interaction with PO Greenidge and PO Shibetti, PO Greenidge informed her that he could not request an ambulance because she did not appear to be injured (Board Review 01). § 87(2)(b) then reiterated her request for a police report regarding the incident, at which time PO Shibetti stated, "The only thing we can do is lock both of you up, and then you can see the judge and then handle it." § 87(2)(b) stated that there was video footage from the deli depicting the incident, but that the officers did not view the footage. § 87(2)(b) phone statement was consistent with her verified statement (Board Review 02). § 87(2)(b) did not allege that an officer threatened her with arrest during her initial complaint to IAB (Board Review 11).

§ 87(2)(b) stated that when PO Greenidge and PO Shibetti responded to the location, § 87(2)(b) repeatedly requested that § 87(2)(b) be arrested (Board Review 05 and 06). The officers informed § 87(2)(b) that if they arrested § 87(2)(b) they would be required to arrest § 87(2)(b) as well. § 87(2)(b) did not hear the officers make any other statements about arresting § 87(2)(b) (Board Review 05). § 87(2)(b) stated that the officers were initially going to arrest both individuals, but that after they viewed video footage from the deli which depicted § 87(2)(b)

§ 87(2)(b) as the aggressor, they told § 87(2)(b) to obtain an order of protection against § 87(2)(b) § 87(2)(b)

In his initial phone statement, § 87(2)(b) denied hearing the officers say anything about arresting § 87(2)(b) § 87(2)(b) (Board Review 03).

PO Shibetti stated that upon responding to the location, he spoke to both § 87(2)(b) and § 87(2)(b) but did not speak to § 87(2)(b) (Board Review 08). PO Shibetti was unsure of whether PO Greenidge spoke to § 87(2)(b) PO Shibetti stated that § 87(2)(b) was “half-naked” during the interaction, and appeared to be emotionally disturbed. In the course of investigating the complaint, PO Shibetti determined that there had only been a verbal dispute and that no crime had been committed. PO Shibetti did not recall conferring with PO Greenidge on this matter. PO Shibetti was informed that there was video footage depicting the incident, but was told it would take time to be retrieved. PO Shibetti stated, “We don’t really wait for that,” and that this would be something for detectives to follow up on if a crime had been committed, which was not the case. PO Shibetti stated that neither he nor his partner threatened either individual with arrest or otherwise informed them that they would be arrested. PO Shibetti did not recall if either § 87(2)(b) § 87(2)(b) or § 87(2)(b) requested that the other be arrested.

PO Greenidge’s CCRB statement was consistent with PO Shibetti’s account (Board Review 07). PO Greenidge denied speaking with § 87(2)(b) and stated that he only spoke with § 87(2)(b) in passing during the interaction.

Though he was not present during the initial part of the incident, PO Wallace stated that when he and PO Singh responded to § 87(2)(b) 911 call, § 87(2)(b) repeatedly requested that the officers arrest § 87(2)(b) (Board Review 09).

Patrol Guide Procedure 208-01 states that an officer may arrest an individual without a warrant when reasonable cause exists to believe that person committed a crime, whether or not that crime was committed within the officer’s presence (Board Review 12).

NY Penal Law § 120.15 states that a person is guilty of menacing in the third degree, a class B misdemeanor, “when, by physical menace, he or she intentionally places or attempts to place another person in fear of death, imminent serious physical injury or physical injury” (Board Review 12).

§ 87(2)(g) [REDACTED]

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g), § 87(4-b)

Civilian and Officer CCRB Histories

- This is § 87(2)(b) first complaint with the CCRB (Board Review 13).
- PO Greenidge has been a member of service for 14 years. He has been the subject of four previous allegations in one prior case, none of which were substantiated § 87(2)(g)
- PO Shibetti has been a member of service for 15 years. He has been the subject of two previous allegations in one case, none of which were substantiated § 87(2)(g)
- PO Wallace has been a member of service for one year. This is his first CCRB complaint.
- PO Singh has been a member of service for four years. This is his first CCRB complaint.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered mediation over the phone and during her CCRB interview (Board Review 01 and 02). § 87(2)(b) § 87(2)(b) rejected mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date